

Calendar No. 1802

82D CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1965 }

TEH-JEN LEE

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 697]

The Committee on the Judiciary, to which was referred the bill (S. 697) for the relief of Teh-Jen Lee, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Teh-Jen Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Teh-Jen Lee. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 35-year-old native and citizen of China who last entered the United States as a student on October 6, 1948. Prior to his entry he had received his LL. B. degree from a

university in Shanghai and in September 1949 he received a doctor of jurisprudence degree at Indiana University.

A letter dated April 5, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

APRIL 5, 1951.

HON. PAT McCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 697) for the relief of Teh-Jen Lee, an alien.

The bill would direct the Attorney General to record the lawful admission for permanent residence in the United States of Teh-Jen Lee as of the date on which he lawfully entered, upon the payment of the required head tax and visa fee. Section 2 of the bill apparently was intended to read, "Upon the enactment of this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate immigration quota for the first year that such quota is available."

The files of the Immigration and Naturalization Service of this Department disclose that the alien is a native and citizen of China of the Chinese race, having been born in Tsingtao, Shantung, China, on July 11, 1916. He entered the United States at the port of San Francisco, Calif., on October 6, 1948, when he was admitted as a student under section 4 (e) of the Immigration Act of 1924 for a period of 1 year to attend the Catholic University in Washington, D. C., where he had been awarded a scholarship. After he arrived in this country he learned that the scholarship did not include admission to the school and that the school semester had already begun. He thereupon enrolled in the law school at Indiana University and upon application was granted permission by the Immigration and Naturalization Service to transfer to that university. He was granted an extension of his temporary admission until October 5, 1950. A further extension was denied since he had failed to maintain his student status and had accepted employment in October 1949. Proceedings to enforce his departure from this country, however, were ordered held in abeyance pending consideration of S. 3916 of the Eighty-first Congress and this bill.

The files further reflect that the alien's father is deceased and that his mother resides in Peiping, China. He received an LL. B. degree from the Soochow University Law School in Shanghai, China, and was formerly employed in a bank and later in his father's law office in China. In September 1949 he received a doctor of jurisprudence degree from Indiana University. He is presently residing in Muncie, Ind., and is employed by an abstract company, earning \$200 a month which includes his room. He stated that he has been unable to obtain funds from his people in China since the occupation of Tsingtao. He further stated that he desires to continue his education in this country and earn a degree in judicial science.

The Chinese racial quota, to which the alien is chargeable, is oversubscribed for several years, and a quota immigration visa is not readily obtainable. The record fails, however, to present considerations which would justify the enactment of special legislation granting him a preference over other aliens in China and elsewhere abroad who desire to enter this country for permanent residence, but are unable to do so because of the oversubscription of the quotas to which they are chargeable. Furthermore, to enact this bill might encourage others in whose cases immigration visas are not readily obtainable to attempt to enter the United States as students and then endeavor to adjust their status to permanent residence by private legislation.

Accordingly, this Department is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Homer Capehart, the author of the bill, has submitted a number of letters in behalf of the beneficiary of the bill, among which are the following:

MUNCIE, IND., July 28, 1950.

HON. HOMER E. CAPEHART,

United States Senator, Washington, D. C.

DEAR SENATOR: Thank you for your kind letters of July 22 and July 25, 1950. Pursuant to your instruction, I have proceed seeking letters since July 24, from about 20 prominent citizens of Muncie. It will probably take another few days for me to gather all those letters, and I shall forward them at earliest possible.

For your information, my personal data are as follows:

Name: Teh-Jen Lee.

Age: 34

Place of birth: Tsingtao, Shantung Province, China.

Date of birth: July 11, 1916.

Nationality: Chinese.

Marriage status: Single.

Passport: No. XXXXXX, student.

Port of entry: San Francisco.

Date of entry: October 6, 1948.

Education:

1. 1923-28 studied and graduated from the Provincial primary school of Shansi, at the city of Tai-yuan. (This correspondent to 6 years grade school education in American educational system.)

2. 1929-35 studied in municipal middle school of Peking; Li-Hsien Middle School of Tsingtao and graduated from Ai-Mai Middle School of City of Tsi-nan, Shantung Province. (Ai-Mai is a missionary foundation school. This correspondent high school education of United States educational system.)

3. 1939-43 studied and graduated from Soochow University Law School of Shanghai, with a degree of LL. B. (Soochow University is a Methodist foundation school. It is also the only law school in China offers Anglo-American law, in Case System, consistently through 4 years course.)

4. 1948-September 1949 studied and graduated from Indiana University Law School with a degree of doctor of jurisprudence. (Arrangement between these two law schools enable Soochow University law graduates eligible for a doctor of jurisprudence degree after completion of 36 academic credits.)

5. March 1950 to June 1950, studied in Ball State Teachers College, Muncie, Ind.

Professions

1. 1936 to August 1937, employed and worked as a bank clerk in the Agricultural and Industrial Bank of Tsingtao.

2. September 1937 to December 1938, unemployed, on account of Chinese-Japanese war.

3. January to June 1939, worked in my father's law office in Tsingtao.

4. September 1943 to August 1945 practiced law in Tsingtao.

5. From 1946 to March 1947, worked with China Relief and Rehabilitation Administration, a subordinate office of UNNRA. (Gave up law profession for about 1 year, because it is a public office.)

6. From July 1947 to August 1948, joined a Mr. S. F. Chen's law office, in charge department for foreign clients.

In 1947 and 1948 our law firm in Tsingtao, in many occasions has representing American businessmen, individuals and missionaries in legal actions. The American Consulate General of Tsingtao usually refer American citizens to our firm for legal advice on Chinese law.

My father, deceased, Mr. Ping-shan Lee, was judge of Shan-tung high court for 10 years; judge of Shan-si high court for 9 years. He established his law office in Tsingtao since 1930 and died in March 1942. My parents lived in Tsingtao since 1930. My mother is now living with two unmarried sisters in Peking, China, and she is 60 years of age.

I have always believed in democracy and freedom. I am strongly against communism and the Communist domination of China.

In 1948, a friend of mine, in Chicago, donated about \$900 to Catholic University of America, Washington, D. C. and thereby the said university awarded me a scholarship. I entered the United States with honest believe that the scholarship includes admission, and it was only when I arrived in Chicago and found out I was without an admission. At that time, school semester has already begun. I took a trip to Bloomington, Ind., and it was very kind of Dean Bernard C. Gavit, who admitted me immediately. This is the reason why I did not enter Catholic

University of America. Later on, I have applied to the Immigration and Naturalization Service in Detroit, and the said office has granted me a permission of transfer of school from Catholic University to Indiana University. Mr. J. W. Butterfield's letter mentioned this and I wish to clarify this facts for your reference.

With my humble personal regards, I remain,

Yours respectfully,

TEH-JEN LEE.

CITY OF MUNCIE,
Muncie, Ind., August 2, 1950.

Hon. HOMER E. CAPEHART,
United States Senate, Washington, D. C.

DEAR SENATOR: I am advised that you have proposed a bill to permit certain applicants for United States citizenship to come under the existing quota for naturalization. Myself among numerous other good citizens of Muncie are interested in the future of a young Chinese, Teh-Jen Lee, who is a resident of our city and is most anxious to be allowed to remain in this country.

Mr. Lee is a graduate of Indiana University Law School and in this country on a student visa. Since his country has become greatly involved with communism he does not wish to return. I regard Mr. Lee as an intelligent, industrious, loyal, and deserving person who may be regarded as eligible for admission to our great country.

May I lend my support to your bill which would provide a worthy future to this young man and also gain a good citizen for this Nation as well as our community.

Yours very truly,

LESTER E. HOLLOWAY, *Mayor.*

THE MUNCIE STAR-MUNCIE EVENING PRESS,
Muncie, Ind., July 29, 1950.

Hon. HOMER E. CAPEHART,
Senate Office Building, Washington, D. C.

DEAR SENATOR CAPEHART: I regret that we did not meet in Indianapolis, as I wanted to let you know personally how much I appreciated your efforts to have a brilliant young student, now in Muncie, brought within the quota of Chinese who would be permitted to remain within the United States.

Teh-Jen Lee has been associated with the Delaware County Abstract Co. in Muncie since he graduated from the Indiana University School of Law with the degree of doctor of jurisprudence. He is fitting into the community life in Muncie and has proved to a host of friends that he is honorable, loyal, and steadfast. I am among his many acquaintances who do not want him sent back to his native land, China, which has been taken over by the Communists since he came to America on a student visa.

I trust that your efforts in the behalf of Teh-Jen Lee are successful. He merits the serious consideration of all persons concerned.

Thanking you, and with the kindest personal regards, I am

Sincerely,

JOHN O. FERRIS,
Managing Editor, The Muncie Star.

FORTY-SIXTH JUDICIAL CIRCUIT OF INDIANA,
Muncie, Ind., August 2, 1950.

Re Teh-Jen Lee.

Hon. HOMER E. CAPEHART,
*United States Senator,
Senate Office Building, Washington, D. C.*

DEAR HOMER: Anything you are able to do to assist Mr. Teh-Jen Lee to be placed under the existing quota for Chinese will be greatly appreciated by Mr. Lee's friends here.

This young man is intelligent and industrious, and I feel certain that he maintains a strong loyalty and respect for the United States.

Mr. Lee has been a frequent visitor to this court room, and has addressed our local bar association as well as civic clubs throughout our community. In all of

my talks with him I have become convinced that he is a strong believer in our form of government. It would, then, be an act of utmost cruelty to him to cause him to return to his native land, which is now held by the Communists. We like him here and will be grateful to our Government if he is permitted to remain in our community.

Hoping for your success this fall, and with all good wishes, I am

Sincerely yours,

JOSEPH H. DAVIS,
Circuit Judge.

The bill has been amended to conform with the policy of the committee in granting permanent residence in the United States to an alien as of the date of the adjustment rather than as of the date of last entry into the United States.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 697), as amended, should be enacted.

○

my father with him I have become convinced that he is a strong believer in our country and its principles. It would have been an act of unbecoming selfishness on my part to have refused to accept his invitation to visit him in his home. I have been very much interested in the study of the history of the United States and the principles of our government. It is a privilege to be permitted to visit him in his home and to see the place where he has lived for so many years.

My father has been very much interested in the study of the history of the United States and the principles of our government. It is a privilege to be permitted to visit him in his home and to see the place where he has lived for so many years.

My father has been very much interested in the study of the history of the United States and the principles of our government. It is a privilege to be permitted to visit him in his home and to see the place where he has lived for so many years.

My father has been very much interested in the study of the history of the United States and the principles of our government. It is a privilege to be permitted to visit him in his home and to see the place where he has lived for so many years.

My father has been very much interested in the study of the history of the United States and the principles of our government. It is a privilege to be permitted to visit him in his home and to see the place where he has lived for so many years.

The bill has been amended to conform with the policy of the committee to create permanent residence in the United States to all citizens of the date of the adjustment rather than as of the date of last entry into the United States.

The committee also recommended that all the facts in the case be set forth in the bill (S. 667), as amended, should be enacted.